

Exhibit 11

LEOR THALER DEPOSITION

February 6, 2013

Shatsky v. Syrian

Page 1

1
2 In the U.S. District Court
3 District of Columbia

4 -----X
5 :
6 Shabtai Scott Shatsky, et :
7 al :
8 :
9 v. : NO. 1:02cv02280
10 :
11 The Syrian Arab Republic, :
12 et al :
13 :
14 -----X

15 February 6, 2013

16 DEPOSITION OF:

17 Leor Thaler,

18 a witness, called by counsel pursuant to notice,
19 commencing at 9:07 a.m., which was taken at Miller
20 and Chevalier, 655 15th Street, NW, Washington, DC
21 20005-5701

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1		(Whereupon the matter commenced at	
2		9:07 a.m.)	
3		Stipulations	
4		(It is stipulated and agreed by and	
5		between counsel for the respective parties that	
6		the reading and signing of this transcript by the	
7		witness are not waived.	
8		It is further stipulated and agreed	
9		that the filing of this transcript with the clerk	
10		of the court be and the same is hereby waived.)	
11		* * * * *	
12		13 Whereupon,	
13		14 Leor Thaler	
14		15	
15		16 was called for examination by counsel and,	
16		17 after having been duly sworn, was examined	
17		18 and testified as follows:	
18		19 DIRECT EXAMINATION:	
19		20 BY MR. HILL:	
20		21 Q. Please tell me your full name.	
21			

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1	A. Leor Thaler.	1 A. Yes.
2	Q. Do you have any middle names?	2 Q. Would you tell me what medications you are
3	A. Phillip.	3 currently on?
4	Q. Have you ever been known by any other	4 A. Abilify, Lemictal.
5	names?	5 Q. What does Abilify treat you for?
6	A. No.	6 A. I don't know exactly. It's – I don't
7	Q. What's your date of birth?	7 remember what exactly the purpose of it is.
8	A. [REDACTED] 1987.	8 Q. Is this an antipsychotic drug?
9	Q. Mr. Thaler, I know you've been deposed	9 A. I think it is.
10	before but let's go over the ground rules so you	10 Q. Was it prescribed for you by a
11	understand what will happen here today.	11 psychiatrist?
12	I'll ask questions. You'll give answers.	12 A. Yes.
13	Everything that's said will be taken down by the	13 Q. How long have you been taking that
14	court reporter, Mr. Feuer.	14 medication?
15	During the course of the day I may ask a	15 A. For a year.
16	question that you don't understand. If that happens	16 Q. You are on Lemictal?
17	please let me know and I'll try and rephrase it so	17 A. Yes.
18	you can understand it.	18 Q. What condition does that treat?
19	A. Okay.	19 A. I don't know how to say it in English.
20	Q. During the course of the day Mr. Steiner	20 It's a mood stabilizer.
21	may make an objection. If that happens please wait	21 Q. Was that also prescribed for you by your
	Page 7	Page 9
1	until he finishes speaking and then unless he tells	1 psychiatrist?
2	you not to answer the question, please go ahead and	2 A. Yes.
3	answer the question.	3 Q. How long have you been taking that
4	A. Okay.	4 medication?
5	Q. During the course of the day I will	5 A. For a year and a half.
6	probably ask a question and you know what the	6 Q. Have you continuously been on those
7	question is and you know what the answer is and	7 medications for those periods of time?
8	there will be a temptation to interrupt me and go	8 A. I switched a few different times
9	ahead and give the answer.	9 medication but now this is the medication I'm
10	Try and resist doing that because it makes	10 taking.
11	it hard for Mr. Feuer to take things down if we're	11 Q. Do you believe that these medications have
12	both talking at the same time.	12 helped to prevent you from having psychotic
13	Is there any reason you won't be able to	13 episodes?
14	give full and truthful testimony here today?	14 MR. STEINER: Objection, there's no
15	A. No.	15 testimony he has had psychotic episodes. That's
16	Q. Are you taking any medication that would	16 your characterization.
17	impair your ability to understand me or tell the	17 BY MR. HILL:
18	truth?	18 Q. Answer, please.
19	A. No.	19 A. I never been in a psychotic condition so I
20	Q. Are you, in fact, taking any medication	20 wouldn't say that.
21	today?	21 Q. Do you believe that taking these

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1 medications has helped stabilize your moods?	1 Q. How long did you live in Brooklyn?
2 A. Yes.	2 A. Four years.
3 Q. If at any point during the course of the	3 Q. Where did you move after you left
4 day you need a break, let me know and we'll be happy	4 Brooklyn?
5 to do that.	5 A. Baltimore.
6 A. Yes.	6 Q. How long did you reside in Baltimore?
7 MR. HILL: Mr. Steiner, I know the	7 A. Five years.
8 witness speaks English.	8 Q. Where did you move after Baltimore?
9 Since there's not a videotape here I'd	9 A. Moved to Ginot Shomron.
10 ask that you address the witness in English.	10 Q. Then you lived in Ginot Shomron until you
11 Otherwise we're not going to have a record of what	11 moved as you described earlier today, correct?
12 you are saying.	12 A. Yes.
13 MR. STEINER: I said for a cigarette,	13 Q. Do you have an American social security
14 bathroom, or whatever, ask for a recess.	14 number?
15 THE WITNESS: Some words I have a	15 A. Yes.
16 problem with, I won't be able to say in English.	16 Q. What is it?
17 BY MR. HILL:	17 A. I don't know.
18 Q. Let's do it this way.	18 Q. Have you ever paid any taxes to the
19 Since we don't have a certified translator	19 American government?
20 here today, since we don't have a videotape I'm	20 A. No.
21 going to ask Mr. Steiner to only speak English to	21 Q. What are the names of your parents?
Page 11	Page 13
1 you and if there is a need for a word that you don't	1 A. Ginette and Michael.
2 understand, tell me and we'll try and come up with	2 Q. The last name is?
3 another word.	3 A. Thaler.
4 A. All right.	4 Q. Do you have any siblings?
5 Q. What is your current address?	5 A. Yes.
6 A. I [REDACTED].	6 Q. How many?
7 Q. How long have you lived at that apartment?	7 A. I have a half brother, Yitzhak Zvi, and my
8 A. 18 months.	8 sister that was killed, Rachel.
9 Q. What was your address prior to that?	9 Q. Have you ever been married?
10 A. Before that? I [REDACTED]	10 A. No.
11 [REDACTED].	11 Q. Do you have any children?
12 Q. Where did you live before that?	12 A. No.
13 A. Before that I lived in a different place	13 Q. Of what country or countries are you a
14 in Hod HaSharon.	14 citizen?
15 Q. How about before that?	15 A. England, America, and Israel.
16 A. Ginot Shomron.	16 Q. What languages other than English do you
17 Q. When you lived in Ginot Shomron was that	17 speak?
18 the time you were living with your mother?	18 A. Hebrew.
19 A. Yes.	19 Q. Are you currently employed?
20 Q. Where were you born?	20 A. No.
21 A. Brooklyn.	21 Q. I'd like to go over your educational

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1 BY MR. HILL:		
2 Q. Which grandmother?		1 I would, therefore, ask that those
3 A. My mother's.		2 records be searched for if they are within his
4 Q. What was her name?		3 possession, custody, or control and be produced.
5 A. Angela.		4 MR. STEINER: We will take it under
6 Q. What mental illness was your grandmother		5 advisement and ask for you to please follow up in
7 Angela diagnosed as having?		6 writing.
8 A. I have no idea.		7 BY MR. HILL:
9 Q. Do you know if anyone else in your family		8 Q. Mr. Thaler, you were present on
10 has ever been diagnosed as having a mental illness?		9 February 16, 2002 at an explosion in Kamei Shomron,
11 A. No.		10 correct?
12 MR. STEINER: Objection.		11 A. Correct.
13 BY MR. HILL:		12 Q. Did you see the person or persons who were
14 Q. Have you ever heard whether your father		13 responsible for causing the explosion before it took
15 Michael was diagnosed as having a mental illness?		14 place?
16 MR. STEINER: Objection.		15 A. No.
17 THE WITNESS: No.		16 Q. You were unable to identify the person or
18 BY MR. HILL:		17 persons who was responsible for that explosion?
19 Q. Have you ever heard that your mother has		18 MR. STEINER: Objection.
20 been diagnosed with having a mental illness?		19 THE WITNESS: I was looking to the
21 A. My mother hasn't.		20 other side.
	Page 79	Page 81
1 Q. Your mother has not?		1 Q. At the time of the blast you were facing
2 A. No.		2 away from the source of the blast, correct?
3 Q. Have you ever heard whether Zvi has been		3 A. My face was looking to the left.
4 diagnosed as having a mental illness?		4 Q. You were not able to observe the person
5 A. No.		5 who caused the blast before it took place, right?
6 Q. Have you ever heard whether Isaac has been		6 A. No.
7 diagnosed as having a mental illness?		7 Q. You are agreeing with me?
8 A. No.		8 A. What?
9 MR. HILL: Let's take a break here		9 Q. You did not see the person before the
10 because I'm going to get into a new area.		10 blast?
11 (Whereupon, a recess was taken from		11 A. Right.
12 10:08 a.m. to 10:18 a.m.)		12 Q. Did you see Keren Shatsky after the blast
13 MR. HILL: Mr. Steiner, I believe we		13 that day?
14 have received some, but not all, the records		14 A. No.
15 associated with the psychological and psychiatric		15 Q. Did you see your sister Rachel after the
16 treatment that Mr. Thaler has described as a result		16 blast that day?
17 of the court order, with Eyal, with Dr. Kronenberg,		17 A. No.
18 and at the Ger Hospital.		18 Q. Did you see Ronit Trattner after the blast
19 I also don't believe we've received the		19 that day?
20 records associated with his rehab that he's		20 A. No.
21 previously described.		21 Q. Did you see Hillel Trattner after the

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1 blast that day?	1 and then lost consciousness, is that right?
2 A. No.	2 A. I didn't lose conscious. I just blacked
3 Q. Did you lose consciousness at the time of	3 out.
4 the blast?	4 Q. At what point did you again become awake?
5 A. No.	5 A. On and off.
6 MR. STEINER: Objection.	6 Q. Can you recollect being put into an
7 MR. HILL: What's the objection?	7 ambulance?
8 MR. STEINER: To the medical	8 A. Yes.
9 definition of "conscious," the witness'	9 Q. Can you recollect traveling in an
10 understanding of it.	10 ambulance?
11 BY MR. HILL:	11 A. Yes.
12 Q. Do you believe you were awake after the	12 Q. Can you recollect arriving at the
13 explosion took place or was there a period of time	13 hospital?
14 you were blacked out?	14 A. Yes.
15 A. What?	15 Q. At some point I understand you had surgery
16 Q. Do you believe that you were continuously	16 at the hospital?
17 awake after the blast?	17 A. Yes.
18 A. Yes.	18 Q. I assume that you were unconscious for the
19 Q. Your testimony is to the best of your	19 surgery?
20 recollection you do not believe that you blacked out	20 A. Yes.
21 at the time of the blast?	21 Q. Do you recollect the names of any of the
Page 83	Page 85
1 A. I flew back and I got up straightaway.	1 people that treated you that day?
2 Q. After the blast took place did anyone	2 A. No.
3 attend to your injuries on the scene?	3 Q. Could you describe for me generally the
4 A. Yes.	4 nature of the injuries you sustained that day?
5 Q. Do you know the name of the person or	5 A. Nails and shrapnel all over my body, nails
6 persons who helped you?	6 and shrapnel inside my gall bladder, took out my
7 A. No.	7 gall bladder. That left an infection somewhere
8 Q. Were these like paramedics?	8 inside.
9 A. Yes.	9 My ear was ripped partly. My eardrum burst
10 Q. Then I understand you were transported to	10 totally. Burns, second degree on my body, and one
11 the hospital, is that correct?	11 degrees.
12 A. Yes.	12 Q. You do not appear to me to have any
13 Q. Can you remember being awake from the time	13 scarring. There is no video camera here. Do you
14 of the blast until you arrived at the hospital?	14 believe you have scarring?
15 A. No.	15 MR. STEINER: Objection.
16 Q. At what point in time do you believe you	16 The record should reflect that the
17 may have lost consciousness?	17 witness is sitting with his sleeve rolled up to his
18 MR. STEINER: Objection.	18 right elbow and on his right forearm there is a
19 THE WITNESS: After a few minutes.	19 clearly visible scar.
20 BY MR. HILL:	20 THE WITNESS: Scars all over my body
21 Q. So you were awake for a while on the scene	21 that you could see.

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1 is about the injuries, physical and psychological, I 2 received and what happened to me because my sister 3 and my best friend died.	1 sister. 2 Q. You mentioned that you had told your 3 mother that you felt like she cared more about her 4 dead daughter than her living sons, is that right?
4 Do you remember being asked that question 5 and giving an answer like that?	5 A. Yes. 6 Q. When did you say that to her?
6 A. Yes.	7 A. Plenty of times. 8 Q. At the time you said that did you believe 9 it to be true?
7 Q. Can you explain to me what effect on you 8 the death of Rachel has caused, how you feel about 9 that today?	10 A. Yes. 11 MR. HILL: I don't have any further 12 questions.
10 A. Of course. In the beginning it didn't 11 bother me. We weren't good friends. We didn't like 12 each other.	13 MR. STEINER: Nothing else. 14 (Deposition adjourned at 11:39 a.m.)
13 With time, growing up without a sister 14 became a big issue, very sensitive for me.	15 16
15 I do miss her. I want her to be here. It's 16 a big shame that she is not here.	17 18 19
17 Mentally it did a lot of, lot of, lot of 18 issues basically, makes me regret all the stuff I 19 said about her, all the stuff I did to her.	20
20 Mentally it changed everything.	21
21 MR. STEINER: Thank you.	
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1 RE-DIRECT EXAMINATION: 2 BY MR. HILL: 3 Q. You mentioned that you had regrets about 4 stuff you said to Rachel. 5 What is it you are thinking of that you 6 regret saying to her now? 7 A. Cursing her, also after the attack, it 8 didn't bother me that she died, giving pain to my 9 mother, telling her all kind of stuff like she cares 10 more about her dead daughter than her living sons, 11 stuff I said that hurt my mother mostly. I miss my 12 sister at the end of everything. 13 Q. Anything else that you are thinking of 14 that you said that you regret saying in connection 15 with Rachel other than what you just told me? 16 A. A lot of stuff but nothing that pops to my 17 mind right now. 18 Q. You said you also regret stuff you did 19 relating to Rachel. What do you mean by that? 20 A. Hitting her, fighting with her, not 21 getting along together, being a nasty teenager to my	1 Reporter's Certificate 2 3 I, the undersigned, Certified Court Reporter, 4 do hereby certify that the foregoing transcript of 5 testimony was taken by me in stenotype and 6 thereafter reduced to print under my direction, 7 that said transcript is a full, true and 8 substantially accurate record of the proceedings, 9 to the best of my ability. 10 I do further certify that I am neither counsel 11 for, related to, nor employed by any of the parties 12 to the action in which this deposition was taken; 13 and, further, that I am not a relative or employee 14 of any attorney or counsel employed by the parties 15 hereto, nor financially or otherwise interested 16 in the outcome of the action. 17 18 /s/ Michael Feuer 19 20 Certified Realtime Reporter 21

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1 Certificate of Deponent
 2 I hereby certify that I have read and
 3 examined the foregoing transcript, and the same
 4 is a true and accurate record of the testimony
 5 given by me.
 6 Any additions or corrections that I feel
 7 are necessary I will attach on a separate sheet
 8 of paper to the original transcript.
 9
 10

Signature of witness

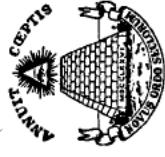
11 I hereby certify that the individual
 12 representing him/herself to be the above named
 13 individual, appeared before me this _____
 14 day of _____ and executed the above
 15 certificate in my presence.
 16
 17
 18
 19
 20

Notary Public

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1
 2 Errata Page of Deponent
 3 Please note any errors on this sheet. The
 4 reasons may be general, such as "to correct
 5 stenographic error" or "to clarify the record."
 6 When completed, send this page to the attorney
 7 who took your deposition, NOT the court reporter.
 8 Page Line Correction Reason For Change
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Exhibit 12



DEPARTMENT OF STATE
FOREIGN SERVICE OF THE UNITED STATES OF AMERICA

Certification of Birth Alman

of a Citizen of the United States of America

This is to certify that according to records on file in this Office

EFRAT TRATTNER

Sex FEMALE was born at PETAH TIKVA, ISRAEL
on [REDACTED], 1983 Report of birth recorded on APRIL 29, 1985

In Witness Whereof, I have hereunto subscribed my name and affixed the seal of the Consular Service of the United States of America at TEL AVIV, ISRAEL
this 29TH day of APRIL 1985.

A handwritten signature in black ink, appearing to read "STUART SELDOWITZ".

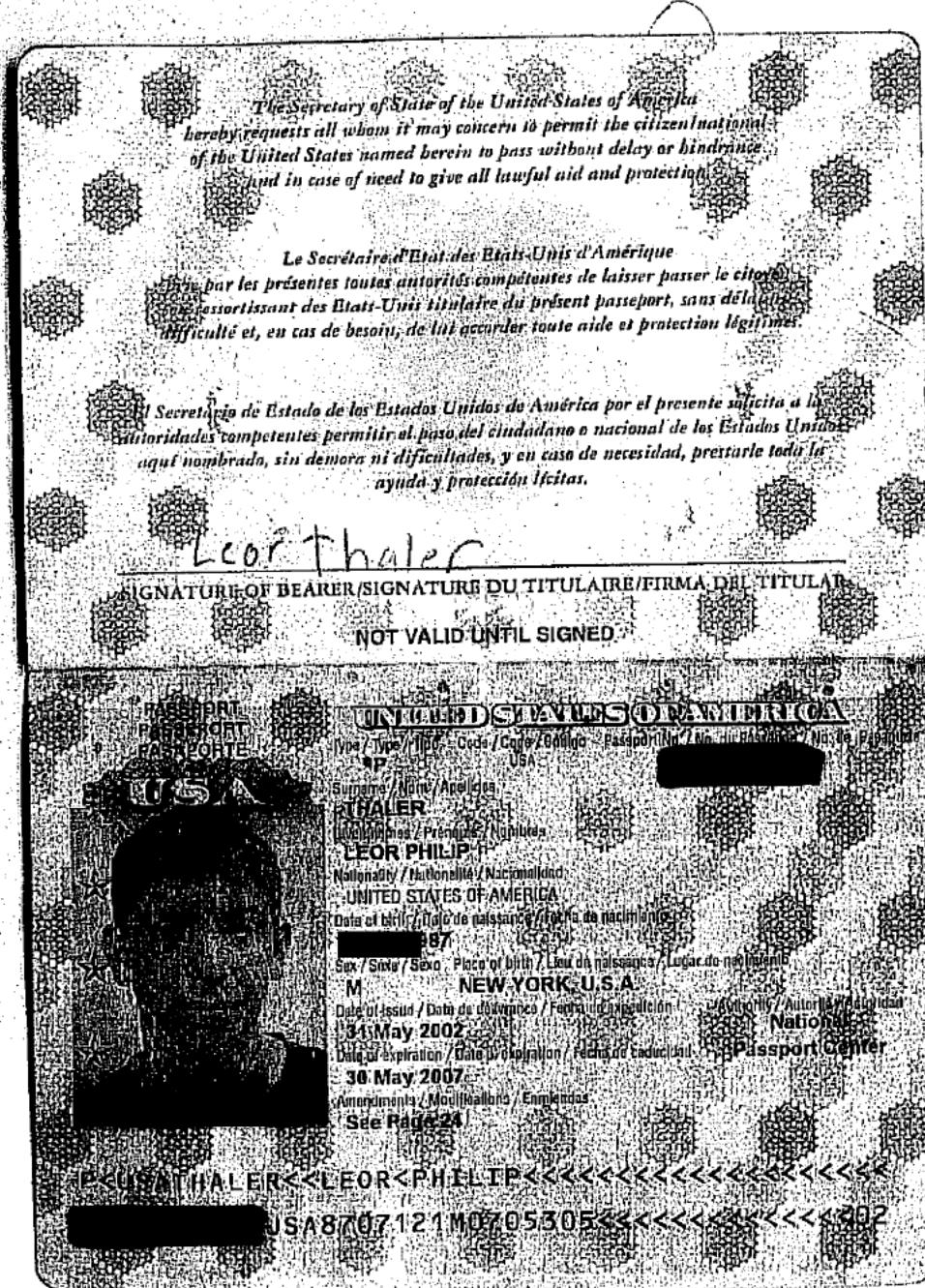
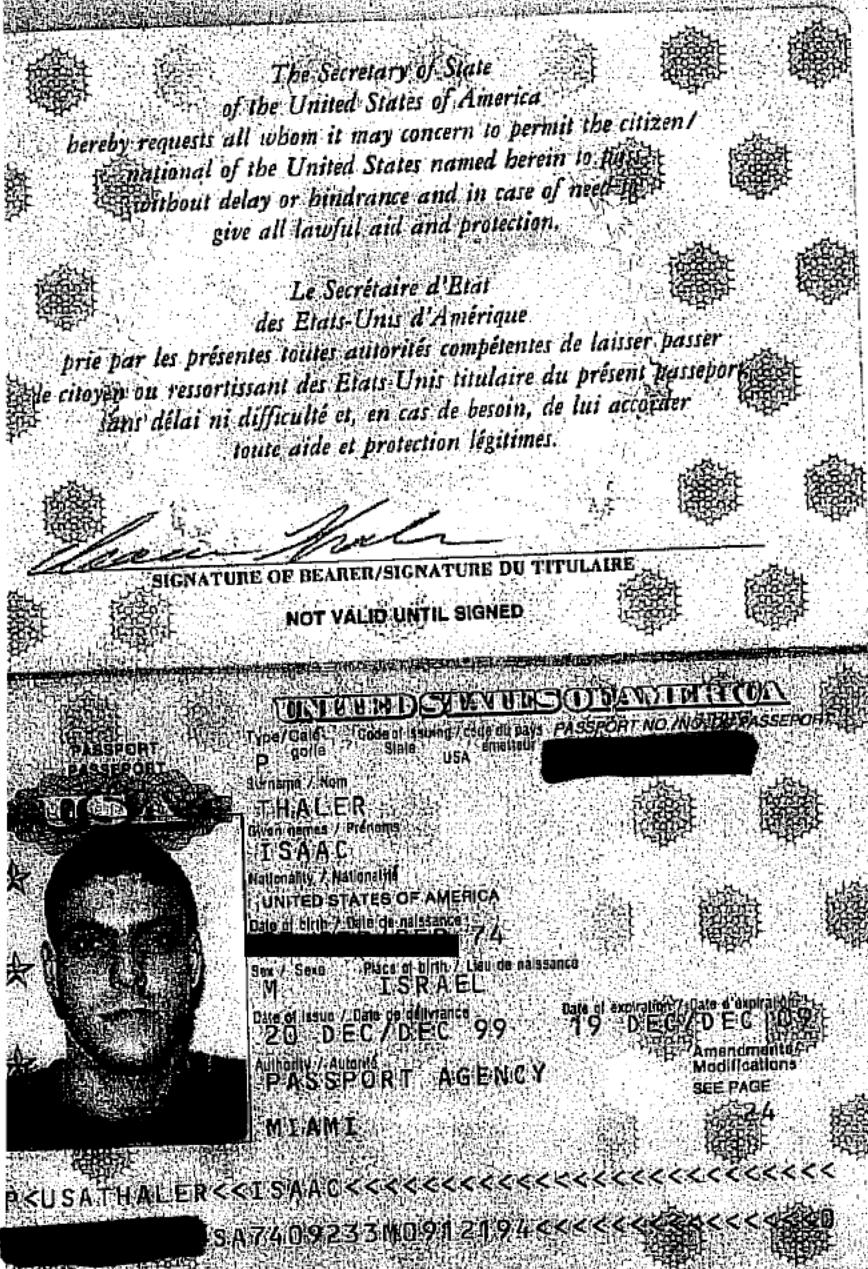
(SEAL)

STUART SELDOWITZ
VICE CONSUL

of the United States of America
WARNING: This certificate is not valid if it has been altered in any way whatsoever or if it does not bear the raised seal of the office of issuance.

Exhibit 13

HIGHLY CONFIDENTIAL



L_C014823